IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 20TH JULY 2007 / 29TH ASHADHA 1929

WP(C).No. 22025 of 2007(V)

PETITIONER:

PUSHPAGIRI COLLEGE OF DENTAL SCIENCES,
MEDICITY, PERUMTHURUTHY, THIRUVALLA - 689 107,
REPRESENTED BY ITS PRINCIPAL DR.OOMMEN AJU JACOB.

BY ADV. SRI.SANTHOSH MATHEW
SRI.SATHISH NINAN

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE
PRINCIPAL SECRETARY TO GOVERNMENT,
DEPARTMENT OF HIGHER EDUCATION,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. THE COMMISSIONER FOR ENTRANCE
EXAMINATIONS, GOVERNMENT OF KERALA,
HOUSING BOARD BUILDINGS, SANTHINAGAR,
THIRUVANANTHAPURAM.

3. THE PRESIDENT,
ALL KERALA SELF FINANCING DENTAL COLLEGE
MANAGEMENT CONSORTIUM (AKSDCMC),
CITY POINT BUILDING, 3RD FLOOR, D.H.ROAD,
ERNAKULAM.

4. ALL KERALA SELF FINANCING DENTAL
COLLEGE, MANAGEMENT CONSORTIUM (AKSDCMC),
CITY POINT BUILDING, 3RD FLOOR, D.H.ROAD,
ERNAKULAM. REPRESENTED BY ITS SECRETARY.

BY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1: TRUE COPY OF THE RELEVANT PORTION OF PROSPECTUS ISSUED BY THE ALL KERALA SELF FINANCING DENTAL COLLEGE MANAGEMENT CONSORTIUM.

EXT.P2: TRUE COPY OF THE LETTER DATED 30.6.07 SENT BY THE PETITIONER TO THE FIRST RESPONDENT.

EXT.P3: TRUE COPY OF THE G.0.(Rt)NO.1319/2007/H.EDN. DATED 9.7.07 ISSUED BY THE FIRST RESPONDENT.

EXT.P4: TRUE COPY OF THE G.O.(Rt)NO.1320/2007/H.EDN.DATED 9.7.07 ISSUED BY THE FIRST RESPONDENT.

EXT.P5: TRUE COPY OF THE LETTER DATED 11.7.07 SENT BY THE PETITIONER TO THE FIRST RESPONDENT.

EXT.P5(A): TRUE COPY OF THE TRANSACTION REPORT DATED 11.7.07.

EXT.P5(B): TRUE COPY OF THE TRANSACTION REPORT DATED 11.7.07

EXT.P6: TRUE COPY OF THE PRESS RELEASE DATED 15.7.07 PUBLISHED BY THEir 2ND RESPONDENT.

TRUE COPY

PA TO JUDGE.

S. SIRI JAGAN, J.

W.P.(C)NO. 22025 OF 2007

DATED THIS THE 20th DAY OF JULY, 2007

JUDGMENT

The petitioner is a self financing minority Dental College. Recently, the Government has entered into agreements with various Self Financing Colleges for the purpose of seat sharing for admission. The contention of the petitioner is that although the petitioner has not signed any agreement, the petitioner's Dental College is included in the list of Colleges to which allotment has to be made by the Commissioner of Entrance Examinations as shown in the website of the Commissioner. According to the petitioner although the consortium of Self Financing Dental College Management has signed the agreement, the petitioner has opted out of the agreement and therefore, the petitioner's name has to be deleted from the list of Colleges to which the allotment has to be made by the Entrance Commissioner.

2. The learned Liaison officer appearing on behalf of the 2nd respondent placed before me a communication addressed to the Advocate General from the Commissioner of Entrance Examinations, which reads thus:

> "I invite your kind attention to the reference cited. I am forwarding the

statement of Facts for defending the writ petition when it comes up for hearing.

As per the G.O.(Rt) No.1319/07/H.Edn.dtd.09.07.2007 the Pushpagiri College of Dental Sciences was included in the list of College for which options were invited. The principal of the College has requested this respondent to withdraw the name of the College from the Website of the respondent. Accordingly the name of the College has been withdrawn from the Website of this respondent.

These facts may be brought to the notice of the Hon'ble Court when the Writ Petition comes up for hearing and necessary steps may be taken to get the petition dismissed.

In view of the said submission, no further orders are called for in this writ petition except to record the same. Accordingly, the writ petition is disposed of regarding the above submission.

S. SIRI JAGAN, JUDGE

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